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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,264	04/01/2004	Jong Jin Park	021269-013	8445

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EXAMINER

DICKEY, THOMAS L

ART UNIT	PAPER NUMBER
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2826

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/814,264

Applicant(s)

PARK ET AL.

Examiner

Thomas L. Dickey

Art Unit

2826

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 08 June 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 16-22.  
Claim(s) withdrawn from consideration: 1-15 and 23.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

Thomas L. Dickey  
Patent Examiner  
Art Unit 2826

Continuation of 3. NOTE: Applicant proposes to cancel dependent claim 22, add the limitations thereof to claim 16, and additionally claim that a "crosslinking reaction take place resulting in a solubility difference between exposed and unexposed areas."

Photosensitive compositions capable of undergoing crosslinking reactions resulting in a solubility difference between exposed and unexposed areas are part of our common technological heritage, dating back into the 1950's or '60's. It is only the examiner's inability to search for specific words and phrases in older publications that limits to 1979 his earliest quickly discoverable reference disclosing such a composition. See, e.g. "PHOTORESISTIVE COMPOSITIONS," US Patent No. 4,438,514 to Garito ("numerous compositions for use in photo-resistive processes have been developed...negative photo-resists, in general, operate through a bond formation mechanism, usually a crosslinking or polymerization...such resist formulations generally comprise monomers which polymerize or crosslink upon exposure to radiation [, increasing] effective molecular weight of the system ... such that differential removal of those portions not irradiated is facilitated... [usually by] solvent dissolution." Note "BACKGROUND OF THE INVENTION," column 4 lines 28-43)

The issues at hand in the proposed claims are thus: 1) Whether the art already cited, while disclosing masking and irradiating a film, also explicitly or implicitly that the film have the "tried and true" property of a crosslinking reaction resulting in a solubility difference between exposed and unexposed areas. It should be noted that after a particular technology has been in place for longer than one man's typical working lifetime, those skilled in the art tend to use more and more abbreviated means to describe its use. 2) Whether it otherwise would have been obvious to modify the method already disclosed to utilize this well-understood composition. 3) Whether some other reference is closer art to the claims Applicant now proposes to put forward. All three of these issues, so far as they concern the proposed "crosslinking reaction ... resulting in a solubility difference between exposed and unexposed areas," are new issues not previously searched or considered.

Applicant further proposes to require the "selective" exposure of film through a mask. This language is believed merely to make explicit what was previously implicit. In the old version of the claims, when the film was exposed "through a mask," the clear inference was that the mask covered some "selected" portions of the film while exposing others. See *Bose Corp. v. JBL, Inc.*, 274 F.3d 1354, 1359, 61 USPQ2d 1216, 1218-19 (Fed. Cir 2001)("ellipse" implies "major diameter"); MPEP §2173.05(e)..